

REMARKS

Claims 4 and 12 through 14 remain pending in this application. In response to the final Office Action dated September 21, 2006, claim 4 is amended. Care has been taken to avoid introducing new matter. A petition for one month extension of the period for response, with appropriate fee charge authorization, are filed herewith. As claim 4 has been amended solely to overcome the rejection of record, thereby reducing the issues of record, entry of the amendment is respectfully solicited.

A telephone conference was initiated by Examiner Nguyen on August 29, 2006. Examiner Nguyen questioned the meaning of "magnetic layer" at line 4 of claim 4, particularly as there is no antecedent basis for this term in the claim. In the discussion, it was explained that the term "magnetic layer" should be considered as referring to the previously recited "magnetic recording element" and the claim was correlated with Fig. 4A of the drawings. Reference was made to pages 8 through 12 of the specification, while reading the claimed elements on the drawing figures. Page 12, lines 5-12 and page 15, lines 15-17, in particular, describe the claimed structure. Examiner Nguyen expressed understanding of the claimed invention as explained and stated that this Office Action would be forthcoming.

Objection has been made to claim 4 for insufficient antecedent basis. Appropriate correction has been required. Thus, claim 4 is amended herein to clarify the language as required. To eliminate any possible remaining question, claim 4 as amended is reproduced below with reference to corresponding structure illustration in Fig. 4A.

4. A magnetic recording device having a magnetic recording element [TMR, 1] and a first conductor [5] connected to said recording element, wherein
a configuration of said magnetic recording element includes a straight line situated in one [right side of TMR] of opposite sides of a hard axis [X axis],
said first conductor extends along said hard axis [X axis], and
a side face of said magnetic recording element [right side] and a side face [right side] of said first conductor are aligned with each other at said one of said opposite sides.

It is submitted that the amendment to claim 4 overcomes the objection and warrants entry in the record.

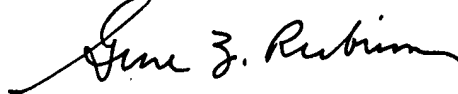
Claims 4 and 12 through 14 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. patent 6,693,825 (Sharma). Claims 12 through 14 additionally have been rejected for obviousness under 35 U.S.C. § 103(a) based on Sharma and Ounadjela, of record. The rejections, insofar as they may be applied to the claims as presented herein, are respectfully traversed.

Claims 4 and 12 through 14 more clearly require that the sides of the recording element and conductor are aligned at the side of the hard axis. As indicated above, this configuration is described at page 12, lines 5-12 and page 15, lines 15-17, and illustrated in Fig. 4A. This claimed configuration is not disclosed by either Sharma nor Ounadjela, nor suggested by a consideration of their combined disclosures.

Accordingly, it is submitted that claims 4 and 12 through 14 are patentably distinct. Entry of the Amendment and allowance of the application are respectfully solicited. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Gene Z. Robinson
Registration No. 33,351

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 GZR:lnm
Facsimile: 202.756.8087
Date: January 22, 2007

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